FARAD CONTINUATION SHEET NO:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.1141 OF 2007
IN
SECOND APPEAL ST.NO.18771 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.N.P.Deshpande for the applicant.
Mr.Vaibhav Patankar for Mr.Mandar Limaye for respondent no.2.

CORAM: D.B.BHOSALE, J.
DATED: 13TH SEPTEMBER, 2007

P.C.:

. Heard learned counsel for the parties.

2. By this civil application, the applicant has prayed for condonation of more than six years delay in filing the second appeal. The second appeal is against a decree of partition. I am informed that the execution proceedings were initiated long back and they have reached the stage of possession. The settlement talks with the help of villagers were going on, as stated in the application as a cause for condoning the delay, in my opinion, is not sufficient cause. The decree holder, who is waiting for the fruits of the decree cannot be made to suffer any further in a situation such as in the present case. In the circumstances this application is dismissed.

(D.B.BHOSALE, J.)